Filed 03/17/25

Page 1 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

United States District Court

for the

		for the			
	Weste	rn District of V	rirginia		
James Gi	ninistrator of the Estate of Char vens, Deceased,	les)			
	Plaintiff V.)	Civil Action No.	1:23CV00003	
ANTHONY RAY	YMOND KELLY, et al.,)	CIVII / ICHOII IVO.	1.23 € ₹ 00003	
	efendant				
			R AND TESTIFY N A CIVIL ACTI	ON	
To: JEFFERY ARTRIP C/O Dorothy Patricia	Wallace, Esq. Office of the	Attorney General	, 202 North 9th St. F	Richmond, VA 232	219
, ' ¥	(Name of p	person to whom the	is subpoena is directed,)	
	MMANDED to appear in the trial in this civil action. We we.				
Place: U.S. DISTRICT COUR	T FOR THE WESTERN DISTRIC'N	Γ OF VIRGINIA,	Courtroom No.:	1	
180 West Main Street,	Abingdon, VA 24210		Date and Time:		0 am on 3/31/2025 and gh and until 5:30 pm on
•				4/11/2025.	5ii diid diidii 3.30 piii oii
not applicable): The following properties to you relating to you	oring with you the following rovisions of Fed. R. Civ. Pour protection as a person so and the potential consequence.	. 45 are attache	d – Rule 45(c), rel poena; and Rule 4:	ating to the place	of compliance;
Date: 03/06/2025					
Jaic	CLERK OF COURT		/	1	
	CLEAR OF COORT		OR //	The !	12
	Signature of Clerk or	Deputy Clerk		Attorney's sig	gnature
Γhe name, address, e-ma	il address, and telephone n	umber of the a	ttorney representin	g (name of party)	Kymberly Hobbs
Administrator of the Estate of		*	equests this subpo		,
Mark Krudys, Esq. and Danny	Zemel, Esq. at the Krudys Law	Firm, PLC. They	can be contaced by em	nail at mkrudys@kru	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Filed 03/17/25

Page 2 of 48

Document 173-1 Pageid#: 2070

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title,	if any)	
(date)	· ·		
☐ I served the s	ubpoena by delivering a copy to the n	amed person as follows:	
<u> </u>		on (date)	; or
☐ I returned the	subpoena unexecuted because:		
tendered to the		ed States, or one of its officers or agents, nce, and the mileage allowed by law, in the	
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under j	penalty of perjury that this information	n is true.	
e;			
		Server's signature	
	<u> </u>	Printed name and title	
	· 	Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2071

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- **(B)** Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- **(D)** Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 4 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of V	rirginia e	
KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased,) Plaintiff) V.) ANTHONY RAYMOND KELLY, et al.,) Defendant)	Civil Action No.	1:23CV00003
SUBPOENA TO APPEAR AT A HEARING OR TRIAL I		ON
To: GEORGE BERRY, JR C/O Dorothy Patricia Wallace, Esq. Office of the Attorney General PWallace@oag.state.va.us (Name of person to whom the YOU ARE COMMANDED to appear in the United States to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave.	is subpoena is directed) s district court at the	e time, date, and place set forth below
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION 180 West Main Street, Abingdon, VA 24210	Courtroom No.: Date and Time:	1 Beginning at 9:00 am on 3/31/2025 and
Von annat also being with you the Collegeins despende		 continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SEE TO PROVIDE MORE SPECIFIC GUIDANCE REGARDING THE DATE AND TIME.
You must also bring with you the following documents, not applicable):	electronically stored	a information, or objects (leave blank if
The following provisions of Fed. R. Civ. P. 45 are attache Rule 45(d), relating to your protection as a person subject to a sub respond to this subpoena and the potential consequences of not do	poena; and Rule 45	
Date:03/12/2025 CLERK OF COURT	OR	
Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-mail address, and telephone number of the at Administrator of the Estate of Charles Givens, Deceased , who issues or re-	ttorney representing	
Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, R	can be contaced by ema	ail at mkrudys@krudys.com and

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

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I received this su	ubpoena for (name of individual and title, i	if any)	
on (date)	·		
☐ I served the su	abpoena by delivering a copy to the n	amed person as follows:	
		on (date)	; or
☐ I returned the	subpoena unexecuted because:		
tendered to the w	vitness the fees for one day's attendar	ed States, or one of its officers or agents, nce, and the mileage allowed by law, in the	
\$	•		
Iy fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	enalty of perjury that this information	n is true.	
ite:		Company's signature	
		Server's signature	
		Printed name and title	
	· 	Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
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 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
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(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction-which may include lost earnings and reasonable attorney's fees-on a party or attorney who fails to comply.

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- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
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- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
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- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 7 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the

for the		
Western District of V	√irginia	
KYMBERLY HOBBS, Administrator of the Estate of Charles	Civil Action N	lo. 1:23CV00003
SUBPOENA TO APPEAR AT A HEARING OR TRIAL I		
To: DEBORAH DOUGLAS 235 Spurgeon Ln., Bristol, VA 24201;		
(Name of person to whom th	is subpoena is dire	cted)
YOU ARE COMMANDED to appear in the United State to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave.	s district court a	ain at the court until the judge or a court
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION 180 West Main Street, Abingdon, VA 24210	Courtroom N	o.: 1
	Date and Time	continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SE TO PROVIDE MORE SPECIFIC GUIDANC REGARDING THE DATE AND TIME.
You must also bring with you the following documents, not applicable):	electronically st	tored information, or objects (leave blank if
The following provisions of Fed. R. Civ. P. 45 are attache Rule 45(d), relating to your protection as a person subject to a subrespond to this subpoena and the potential consequences of not do	poena; and Rul	relating to the place of compliance; e 45(e) and (g), relating to your duty to
Date:03/12/2025 CLERK OF COURT	OR /	Tuel 1
Signature of Clerk or Deputy Clerk		Attorney o signature
The name, address, e-mail address, and telephone number of the a	5	50 10 10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Administrator of the Estate of Charles Givens, Deceased , who issues or remark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, F	can be contaced by	email at mkrudys@krudys.com and

Notice to the person who issues or requests this subpoena

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Page 8 of 48

Document 173-1 Pageid#: 2076

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

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I received this	s subpoena for (name of individual and title, if	any)	
1 (date)	·		
☐ I served the	subpoena by delivering a copy to the na	med person as follows:	
		on (date) ;	or
☐ I returned th	ne subpoena unexecuted because:		
	poena was issued on behalf of the United witness the fees for one day's attendance		
\$	·		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare unde	r penalty of perjury that this information	is true.	
e:		Server's signature	
		Printed name and title	
		Server's address	

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(g) Contempt.

Filed 03/17/25

Page 10 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the		
Western District of V	Virginia	
KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased,) Plaintiff) V.) ANTHONY RAYMOND KELLY, et al.,) Defendant)	Civil Action No.	1:23CV00003
SUBPOENA TO APPEAR AT A HEARING OR TRIAL I		ON
To: ELI GOODMAN, MD. 206 Williamson Road SE, Apt. 115, Roanoke, VA 24011;		
(Name of person to whom th	is subpoena is directed)	
YOU ARE COMMANDED to appear in the United State to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave.	s district court at the	time, date, and place set forth below at the court until the judge or a court
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION	Courtroom No.:	1
180 West Main Street, Abingdon, VA 24210	Date and Time:	Beginning at 9:00 am on 3/31/2025 and continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SE TO PROVIDE MORE SPECIFIC GUIDANCE REGARDING THE DATE AND TIME.
You must also bring with you the following documents, not applicable):	electronically stored	
The following provisions of Fed. R. Civ. P. 45 are attache Rule 45(d), relating to your protection as a person subject to a subrespond to this subpoena and the potential consequences of not do	poena; and Rule 45	
Date:03/12/2025 CLERK OF COURT	OR /	Track .
Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-mail address, and telephone number of the a		
who issues or reduced from the state of charles greens, because your person who issues or reduced from the firm, PLC. They zemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, F	equests this subpoet can be contaced by ema Richmond, VA 23219 an	ail at mkrudys@krudys.com and

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

·1 Filed 03/17/25

Page 11 of 48

PMS Document 173-1 Pageid#: 2079

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

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PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this s	ubpoena for (name of individual and title,	if any)	
(date)	·		
☐ I served the su	ubpoena by delivering a copy to the n	named person as follows:	
	·	on (date)	; or
☐ I returned the	subpoena unexecuted because:		
-		ted States, or one of its officers or agents, nce, and the mileage allowed by law, in the	
\$	·		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	penalty of perjury that this informatio	n is true.	
		Server's signature	
		Printed name and title	
		Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial xpense

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Document 173-1 Filed 03/17/25 Pageid#: 2081

Page 13 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the		
Western District of V	⁷ irginia	
KYMBERLY HOBBS, Administrator of the Estate of Charles) James Givens, Deceased,) Plaintiff) V.) ANTHONY RAYMOND KELLY, et al.,) Defendant)	Civil Action No.	1:23CV00003
SUBPOENA TO APPEAR AT A HEARING OR TRIAL I		ON
To: BRIAN LEE HARRINGTON C/O Dorothy Patricia Wallace, Esq. Office of the Attorney General PWallace@oag.state.va.us (Name of person to whom this		
YOU ARE COMMANDED to appear in the United States to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave.		
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION 180 West Main Street, Abingdon, VA 24210	Courtroom No.: Date and Time:	1 Beginning at 9:00 am on 3/31/2025 and
,	Date and Time.	continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SEEK TO PROVIDE MORE SPECIFIC GUIDANCE REGARDING THE DATE AND TIME.
You must also bring with you the following documents, on applicable:	electronically stored	d information, or objects (leave blank if
The following provisions of Fed. R. Civ. P. 45 are attache Rule 45(d), relating to your protection as a person subject to a subrespond to this subpoena and the potential consequences of not do	poena; and Rule 45	
Date:03/17/2025 CLERK OF COURT	OR /	
Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-mail address, and telephone number of the at Administrator of the Estate of Charles Givens, Deceased who issues or re-	torney representing	
Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, R	can be contaced by ema	ail at mkrudys@krudys.com and

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Filed 03/17/25

Page 14 of 48

Document 173-1 Pageid#: 2082

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I rece	ived this subpoena for (name of indivi	dual and title, if any)		
on (date)	·			
□Is€	rved the subpoena by delivering a o	copy to the named person as for	ollows:	
		on (date)	· ,	or
□I re	turned the subpoena unexecuted be	cause:	and the second	
	s the subpoena was issued on behaled to the witness the fees for one d		_	
My fees are \$		\$ for ser	rvices, for a total of \$	0.00
I decl	are under penalty of perjury that thi	s information is true.		
Date:		Se	erver's signature	
		Prin	nted name and title	
		S	erver's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer, or
- (ii) is commanded to attend a trial and would not incur substantial expense.

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- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

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- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

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(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 16 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

		for the			
	Western I	District of V	/irginia		
KYMBERLY HOBBS, Administr James Givens, Plaintr V. ANTHONY RAYMON Defende	Deceased, iff ND KELLY, et al.,	-) -) -) -)	Civil Action No.	1:23CV00003	
			R AND TESTIFY		
	AT A HEARING O	R TRIAL I	N A CIVIL ACT	ION	
To: JOSHUA CALEB JACKSO C/O Cameron Scott Bell, E	ON	n St. Abina	don VA 24210		
- Co Cameron Scott Ben, E			is subpoena is directed	7)	,
	, , , , ,				
Place: ABINGDON DIVISION	THE WESTERN DISTRICT OF	VIRGINIA,	Courtroom No.:	1	
180 West Main Street, Abingd	lon, VA 24210				time, date, and place set forth below at the court until the judge or a court Beginning at 9:00 am on 3/31/2025 and continuing through and until 5:30 pm on 4/11/2025. d information, or objects (leave blank in the place of compliance; (e) and (g), relating to your duty to the place of compliance; (in and (g), relating to your duty to the place of compliance; (in and (g), relating to your duty to the place of compliance; (in and (g), relating to your duty to the place of compliance; (in and (g), relating to your duty to the place of compliance; (in and (g), relating to your duty to the place of compliance; (in and (g), relating to your duty to the place of party) I will be a signature by the place of compliance; (in and (g), relating to your duty to the place of compliance; (in and (g), relating to your duty to the place of party) I will be a signature by the place of compliance; (in and (g), relating to your duty to the place of party) I will be a signature by the place of party by the place of compliance; (in and (g), relating to your duty to the place of party) I will be a signature by the place of party by the p
You must also bring not applicable):	with you the following of	locuments,	electronically store		or objects (leave blank
Rule 45(d), relating to your prespond to this subpoena and	rotection as a person subj	ect to a sub	poena; and Rule 4		
Date:03/06/2025				1	
CL	ERK OF COURT		OR /	aul	2
· · · · · · · · · · · · · · · · · · ·	Signature of Clerk or Dep	outy Clerk		Attorney's si	gnature
The name, address, e-mail add Administrator of the Estate of Char			ttorney representing		Kymberly Hobbs
Mark Krudys, Esq. and Danny Zemedzemel@krudys.com. Their office ac	el, Esq. at the Krudys Law Firm	n, PLC. They	can be contaced by en	nail at mkrudys@kru	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Document 173-1 Filed 03/1 Pageid#: 2085

Filed 03/17/25 Page 17 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

1 (date)	·		
☐ I served the	subpoena by delivering a copy to the na	med person as follows:	
		on (date)	or
☐ I returned the	e subpoena unexecuted because:		
-	•	d States, or one of its officers or agents, ce, and the mileage allowed by law, in the	
\$	·		
y fees are \$	for travel and \$	for services, for a total of \$	0.00
		,	
I declare under	penalty of perjury that this information	is true.	
ate:			
		Server's signature	
		Printed name and title	
		Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2086

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
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- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
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- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
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- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
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(g) Contempt.

Filed 03/17/25

Page 19 of 48

SEEK

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the

Tof the		
Western District of V	Virginia	
KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased, Plaintiff V. ANTHONY RAYMOND KELLY, et al., Defendant)	Civil Action No.	1:23CV00003
SUBPOENA TO APPEAR AT A HEARING OR TRIAL I		ON
To: TAMMY JONES, NP. C/O Dorothy Patricia Wallace, Esq. Office of the Attorney Genera PWallace@oag.state.va.us (Name of person to whom the	l, 202 North 9th St., F	Richmond, VA 23219;
YOU ARE COMMANDED to appear in the United State to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave.		
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION	Courtroom No.:	1
180 West Main Street, Abingdon, VA 24210	Date and Time:	Beginning at 9:00 am on 3/31/2025 and
7 X		 continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL TO PROVIDE MORE SPECIFIC GUIDAL REGARDING THE DATE AND TIME.
You must also bring with you the following documents, not applicable):	electronically stored	l information, or objects (leave blank if
The following provisions of Fed. R. Civ. P. 45 are attached Rule 45(d), relating to your protection as a person subject to a subsespond to this subpoena and the potential consequences of not do Date: 03/12/2025	poena; and Rule 45	
CLERK OF COURT	OR /	1
Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-mail address, and telephone number of the a		
	equests this subpoer	
lark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They	can be contaced by ema	il at mkrudys@krudys.com and

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, Richmond, VA 23219 and their office # is (804) 774-7950.

Filed 03/17/25

Page 20 of 48

03-JPJ-PMS Document 173-1 Pageid#: 2088

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this : n <i>(date)</i>	subpoena for <i>(name of individual and title, i</i>	fany)	
	·		
☐ I served the s	subpoena by delivering a copy to the na	amed person as follows:	
		on (date)	; or
☐ I returned the	subpoena unexecuted because:		
		ed States, or one of its officers or agents, ce, and the mileage allowed by law, in t	
\$	·		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under	penalty of perjury that this information	ı is true.	
e:		Server's signature	
		Printed name and title	
		Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2089

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
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 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees-on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c):
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified
- conditions if the serving party:

 (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 22 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

Western District of V KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased, Plaintiff)	irginia Civil Action No.		
James Givens, Deceased,) Plaintiff)	Civil Action No.		
V.) ANTHONY RAYMOND KELLY, et al.,) Defendant)		1:23CV00003	
SUBPOENA TO APPEAR AT A HEARING OR TRIAL IN		ON	
To: ANTHONY RAYMOND KELLY C/O Cameron Scott Bell, Esq. PennStuart, 208 E. Main St., Abingdo	on, VA 24210		
(Name of person to whom this	subpoena is directed,)	
YOU ARE COMMANDED to appear in the United States to testify at a hearing or trial in this civil action. When you arrive, officer allows you to leave.			
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION	Courtroom No.:	1 /	
180 West Main Street, Abingdon, VA 24210	Date and Time:		am on 3/31/2025 and h and until 5:30 pm on
You must also bring with you the following documents, e not applicable): The following provisions of Fed. R. Civ. P. 45 are attached Rule 45(d), relating to your protection as a person subject to a subprespond to this subpoena and the potential consequences of not doi Date:	l – Rule 45(c), rela poena; and Rule 45	ating to the place	of compliance;
Signature of Clerk or Deputy Clerk	OR OR	tyorney's sign	nature
The name, address, e-mail address, and telephone number of the att Administrator of the Estate of Charles Givens, Deceased , who issues or re Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, Ri	quests this subpoe	ena, are: nail at mkrudys@krud	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Filed 03/17/25

Page 23 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

☐ I served the subpoena by d		on (date) ;	
☐ I returned the subpoena un			
	executed because:		
Unless the subpoena was issu		-1 C4-4	
tendered to the witness the fe		ace, and the mileage allowed by law, in the	
\$			
y fees are \$ fe	or travel and \$	for services, for a total of \$	0.00
I declare under penalty of pe	rjury that this information	ı is true.	
te:			
		Server's signature	
		Printed name and title	
		Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2092

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.
- (2) For Other Discovery. A subpoena may command:
- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person, and
- (B) inspection of premises at the premises to be inspected

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- **(B)** Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must.
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 25 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for	r the			
Western Distric	ct of V	'irginia		
KYMBERLY HOBBS, Administrator of the Estate of Charles	`	C		
James Givens, Deceased,)			
Plaintiff)	Civil Action No	1.22CV00002	•
V.)	Civii Action No	i. 1.23C v 00003	,
ANTHONY RAYMOND KELLY, et al., Defendant	,			
Defendant	,			
SUBPOENA TO AP AT A HEARING OR TR				
To: WILLIAM ZACHARY MONTGOMERY C/O Cameron Scott Bell, Esq. PennStuart, 208 E. Main St.,	Abingd	lon, VA 24210		
(Name of person to w	hom thi	s subpoena is direct	ed)	
YOU ARE COMMANDED to appear in the United to testify at a hearing or trial in this civil action. When you officer allows you to leave.				
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGI	INIA,	Courtroom No	: 1	
180 West Main Street, Abingdon, VA 24210		Date and Time		9:00 am on 3/31/2025 and
			4/11/2025.	rough and until 5:30 pm on
You must also bring with you the following docum	nents,	electronically sto	red information	ı, or objects (leave blank)
not applicable):				
The following provisions of Fed. R. Civ. P. 45 are a Rule 45(d), relating to your protection as a person subject to respond to this subpoena and the potential consequences of	a sub	poena; and Rule		
Date: 03/06/2025			Λ.	
CLERK OF COURT		OR /	Tuy 1	
Signature of Clerk or Deputy Cl	lerk		Attorney's	s signature
The name, address, e-mail address, and telephone number of	f the at	ttorney represent	ing (name of party	Kymberly Hobbs
Administrator of the Estate of Charles Givens, Deceased, who issue	es or re	equests this subp	oena, are:	
Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC dzemel@krudys.com. Their office address is 919 East Main Street, Suite	C. They	can be contaced by	email at mkrudys@	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Document 173-1 Filed Pageid#: 2094

Filed 03/17/25

Page 26 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this	subpoena for (name of individual and title, i	f any)	
on (date)	·		
☐ I served the	subpoena by delivering a copy to the na	amed person as follows:	
		on (date) ;	or
☐ I returned th	e subpoena unexecuted because:		
		ed States, or one of its officers or agents, ice, and the mileage allowed by law, in the	
\$	•		
My fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under	penalty of perjury that this information	n is true.	
ate:			
		Server's signature	
	·	Printed name and title	
		Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2095

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person, and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- **(B)** Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 28 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased,)		
Plaintiff	·)		
v.)	Civil Action No.	1:23CV00003
ANTHONY RAYMOND KELLY, et al.,	_)		
Defendant)		

SUBPOENA TO APPEAR AND TESTIFY AT A HEARING OR TRIAL IN A CIVIL ACTION

То:	WILLIAM R. OLIVER, MD 1347 Grouse Ct., Seymore, TN 37865;	
		(Name of person to whom this subpoena is directed)

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place:	U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION 180 West Main Street, Abingdon, VA 24210	Courtroom No.: 1		
		Date and Time:	Beginning at 9:00 am on 3/31/2025 and	
			 continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SEEI TO PROVIDE MORE SPECIFIC GUIDANCE REGARDING THE DATE AND TIME. 	

You must also bring with you the following documents, electronically stored information, or objects (leave blank if not applicable):

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _	03/12/2025	- CLERK OF COURT	OR /
		Signature of Clerk or Deputy Clerk	Autorney's signature
		nail address, and telephone number of the at	ttorney representing (name of party) Kymberly Hobbs equests this subpoena, are:

Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They can be contaced by email at mkrudys@krudys.com and dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, Richmond, VA 23219 and their office # is (804) 774-7950.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Filed 03/17/25

Page 29 of 48

Document 173-1 Pageid#: 2097

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this	s subpoena for <i>(name of individual and title, if a</i>	any) 	
☐ I served the	subpoena by delivering a copy to the nar	ned person as follows:	
		on (date)	; or
☐ I returned th	ne subpoena unexecuted because:		
	opoena was issued on behalf of the United e witness the fees for one day's attendanc		
y fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare unde	r penalty of perjury that this information	is true.	
te:		Server's signature	
		Printed name and title	
		•	
		Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

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- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
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- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

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- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
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- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
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- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
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- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 31 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the		
Western District of V	rirginia	
KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased,) Plaintiff) V.) ANTHONY RAYMOND KELLY, et al.,) Defendant)	Civil Action No.	1:23CV00003
SUBPOENA TO APPEAR AT A HEARING OR TRIAL I		ON
To: SAMUEL DALE OSBORNE C/O Jeremy B. O'Quinn, Esq. O'Quinn Law Office, 523 W. Main S	St., Wise VA 24293	
(Name of person to whom thi	is subpoena is directed)	r ⁻
YOU ARE COMMANDED to appear in the United States to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave. U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA,	, you must remain a	at the court until the judge or a court
Place: ABINGION DIVISION 180 West Main Street, Abingdon, VA 24210	Courtroom No.:	1
166 (166) 11611 54664, 11611 54664, 1171 546	Date and Time:	Beginning at 9:00 am on 3/31/2025 and continuing through and until 5:30 pm on 4/11/2025.
You must also bring with you the following documents, not applicable):	electronically stored	l information, or objects (leave blank i
The following provisions of Fed. R. Civ. P. 45 are attache Rule 45(d), relating to your protection as a person subject to a sub respond to this subpoena and the potential consequences of not do	poena; and Rule 45	
Date:03/06/2025 CLERK OF COURT	OR	

Signature of Clerk or Deputy Clerk ttorney's signature Kymberly Hobbs

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

Administrator of the Estate of Charles Givens, Deceased , who issues or requests this subpoena, are:

Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They can be contaced by email at mkrudys@krudys.com and dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, Richmond, VA 23219 and their office # is (804) 774-7950.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Document 173-1 Filed 03/17/25 Pageid#: 2100

Page 32 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)	•		
☐ I served the	subpoena by delivering a copy to the na	med person as follows:	
		on (date) ;	or
☐ I returned th	e subpoena unexecuted because:		
		d States, or one of its officers or agents, ace, and the mileage allowed by law, in the	
\$	·		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under	r penalty of perjury that this information	is true.	
e:			
		Server's signature	
		Printed name and title	
		Server's address	3.44.453000

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2101

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- **(D)** Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Filed 03/17/25

Page 34 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

fo	r the			
Western Distri	ct of V	irginia		
KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased, Plaintiff V. ANTHONY RAYMOND KELLY, et al., Defendant)))	Civil Action No.	1:23CV00003	
SUBPOENA TO AP AT A HEARING OR TR			ON	
To: GREGORY SCOTT PLUMMER C/O Cameron Scott Bell, Esq. PennStuart, 208 E. Main St.,			V .	
(Name of person to w	hom thi	s subpoena is directed,)	
YOU ARE COMMANDED to appear in the United to testify at a hearing or trial in this civil action. When you officer allows you to leave.				
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGORATION	INIA,	Courtroom No.:	1	-
180 West Main Street, Abingdon, VA 24210	Y	Date and Time:		0 am on 3/31/2025 and gh and until 5:30 pm on
	,		4/11/2025.	
You must also bring with you the following docum not applicable):	nents, e	electronically store	ed information, o	r objects (leave blank i
The following provisions of Fed. R. Civ. P. 45 are a Rule 45(d), relating to your protection as a person subject to respond to this subpoena and the potential consequences of	a sub	poena; and Rule 45		
Date: 03/06/2025			1	
CLERK OF COURT		OR /	/au/	
Signature of Clerk or Deputy C	lerk	r - / - r	Attorney's sig	gnature
The name, address, e-mail address, and telephone number of Administrator of the Estate of Charles Givens, Deceased who issue		•	0, 01 0	Kymberly Hobbs
Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC	C. They		nail at mkrudys@kru	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Document 173-1 Filed 03/17/25 Pageid#: 2103

5 Page 35 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)	·				
☐ I served the	subpoena by delivering a copy to the na	med person as follows:			
		on (date);	or		
☐ I returned th	e subpoena unexecuted because:				
		d States, or one of its officers or agents, itee, and the mileage allowed by law, in the			
\$	·				
fees are \$	for travel and \$	for services, for a total of \$	0.00		
I declare under	r penalty of perjury that this information	is true.			
re:					
		Server's signature			
		Printed name and title			

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2104

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Document 173-1 Pageid#: 2105

Filed 03/17/25

Page 37 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

		for the			1
	Western D	istrict of V	irginia		
James G ANTHONY RA	ministrator of the Estate of Charles ivens, Deceased, Plaintiff V. YMOND KELLY, et al., Defendant)	Civil Action No.	1:23CV00003	
	SUBPOENA TO AT A HEARING OR			ION	
To: TRAVIS S. POSTON C/O Dorothy Patricia	Wallace, Esq. Office of the Attorn				219
	(Name of person	to whom thi	s subpoena is directed)	
	MMANDED to appear in the Ur trial in this civil action. When you				
Place: ABINGDON DIVISION	RT FOR THE WESTERN DISTRICT OF V	TRGINIA,	Courtroom No.:	1	
180 West Main Street,	Abingdon, VA 24210	X	Date and Time:	 continuing through 	0 am on 3/31/2025 and gh and until 5:30 pm on
				4/11/2025.	
You must also not applicable):	bring with you the following do	cuments, e	electronically store	ed information, o	r objects (leave blank i
Rule 45(d), relating to y	rovisions of Fed. R. Civ. P. 45 a our protection as a person subjet and the potential consequences	ct to a sub	poena; and Rule 4:		
Date: 03/06/2025				2 1	
	CLERK OF COURT		OR V	Must	
	Signature of Clerk or Depu	ty Clerk		Attorney's sig	gnature
	ail address, and telephone number		• •	0, 01 0,	Kymberly Hobbs
	, who is y Zemel, Esq. at the Krudys Law Firm, ffice address is 919 East Main Street, S	PLC. They		nail at mkrudys@kru	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Document 173-1 Filed 03/17/2 Pageid#: 2106

Filed 03/17/25 Page 38 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

n (date)			
☐I served the s	subpoena by delivering a copy to the na	med person as follows:	
		on (date)	; or
☐ I returned the	e subpoena unexecuted because:		
•		d States, or one of its officers or agents, be, and the mileage allowed by law, in the	
\$	·		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under	penalty of perjury that this information	is true.	
e:			
		Server's signature	
		Printed name and title	
		Server's address	

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

Document 173-1

Pageid#: 2107

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

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- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information, or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Document 173-1 Pageid#: 2108 Filed 03/17/25

Page 40 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the		
Western District of V	Virginia	
KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased,) Plaintiff) v.) ANTHONY RAYMOND KELLY, et al.,) Defendant)	Civil Action No.	1:23CV00003
SUBPOENA TO APPEAR AT A HEARING OR TRIAL I		ON
4977 Alliance Drive, Fairfax, VA 22030; heath.seagle@vsp.virgin	ia.gov	
(Name of person to whom th	is subpoena is directed)	-
YOU ARE COMMANDED to appear in the United State to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave.	es district court at the e, you must remain a	time, date, and place set forth below at the court until the judge or a court
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION 180 West Main Street, Abingdon, VA 24210	Courtroom No.:	1
	Date and Time:	Beginning at 9:00 am on 3/31/2025 and continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SEEK TO PROVIDE MORE SPECIFIC GUIDANCE REGARDING THE DATE AND TIME.
You must also bring with you the following documents, not applicable):	electronically stored	l information, or objects (leave blank if
The following provisions of Fed. R. Civ. P. 45 are attache Rule 45(d), relating to your protection as a person subject to a sub respond to this subpoena and the potential consequences of not do Date: Output Output Date: CLERK OF COURT	poena; and Rule 45	
Signature of Clerk or Deputy Clerk		Attorney's signature
The name, address, e-mail address, and telephone number of the a	ttorney representing	(name of party) Kymberly Hobbs
Administrator of the Estate of Charles Givens, Deceased , who issues or re	equests this subpoer	na, are:
Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, R	can be contaced by ema	il at mkrudys@krudys.com and

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Document 173-1 Filed 03/17/2 Pageid#: 2109

Filed 03/17/25 Page 41 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this su	abpoena for (name of individual and title,	if any)	
n (date)	•		
☐ I served the su	bpoena by delivering a copy to the n	named person as follows:	
		on (date) ;	or
☐ I returned the s	subpoena unexecuted because:		
		red States, or one of its officers or agents, lace, and the mileage allowed by law, in the	
\$	•		
y fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	enalty of perjury that this informatio	n is true.	
te:			
		Server's signature	
		Printed name and title	
		Server's address	

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- **(B)** Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Document 173-1 Filed Pageid#: 2111

Filed 03/17/25

Page 43 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of	Virginia	
KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased,) Plaintiff) V.) ANTHONY RAYMOND KELLY, et al.,) Defendant)	Civil Action No.	1:23CV00003
SUBPOENA TO APPEAL AT A HEARING OR TRIAL		ON
To: JESSE SHRIKI, DO, MS, FACEP 17628 N 77th Way, Scottsdale, AZ 85255;		7.50
(Name of person to whom th	is subpoena is directed)	
YOU ARE COMMANDED to appear in the United State to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave. U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA.	es district court at the	time, date, and place set forth below at the court until the judge or a court
Place: ABINGDON DIVISION	Courtroom No.:	1
180 West Main Street, Abingdon, VA 24210	Date and Time:	Beginning at 9:00 am on 3/31/2025 and
		 continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SEEK TO PROVIDE MORE SPECIFIC GUIDANCE REGARDING THE DATE AND TIME.
You must also bring with you the following documents, not applicable):	electronically stored	l information, or objects (leave blank if
The following provisions of Fed. R. Civ. P. 45 are attached Rule 45(d), relating to your protection as a person subject to a subgrespond to this subpoena and the potential consequences of not do	poena; and Rule 45	ting to the place of compliance; (e) and (g), relating to your duty to
Date:03/12/2025 CLERK OF COURT	OR /	7.1
Signature of Clerk or Deputy Clerk		Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

Kymberly Hobbs

Administrator of the Estate of Charles Givens, Deceased , who issues or requests this subpoena, are:

Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They can be contaced by email at mkrudys@krudys.com and dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, Richmond, VA 23219 and their office # is (804) 774-7950.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Filed 03/17/25

Page 44 of 48

Document 173-1 Pageid#: 2112

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this	subpoena for (name of individual and title, if	`any)	
1 (date)	·		
☐ I served the s	ubpoena by delivering a copy to the na	med person as follows:	
,		on (date)	or
☐ I returned the	subpoena unexecuted because:		****
tendered to the		d States, or one of its officers or agents, ce, and the mileage allowed by law, in the	
y fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under	penalty of perjury that this information	is true.	
e:		Server's signature	
		Printed name and title	
		. Throw have the time	
		Server's address	

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- **(B)** Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

Document 173-1 Filed 03/17/25

Page 46 of 48

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

UNITED STATES DISTRICT COURT

Pageid#: 2114

for the

Western District of Virginia

KYMBERLY HOBBS, Administrator of the Estate of Charles James Givens, Deceased.		
Plaintiff		
v.)	Civil Action No.	1:23CV00003
ANTHONY RAYMOND KELLY, et al.,		
Defendant)		
SUBPOENA TO APPEAL AT A HEARING OR TRIAL I		ON
To: RONALD DANNY WEST, JR		
(Name of person to whom th	is subpoena is directed)	
YOU ARE COMMANDED to appear in the United State to testify at a hearing or trial in this civil action. When you arrive officer allows you to leave.		
Place: U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ABINGDON DIVISION	Courtroom No.:	1
180 West Main Street, Abingdon, VA 24210	Date and Time:	Beginning at 9:00 am on 3/31/2025 and
		 continuing through and until 5:30 pm on 4/11/2025 or until testimony completed and witness excused by the Court. PLEASE CONTACT OUR FIRM AND WE WILL SEEK TO PROVIDE MORE SPECIFIC GUIDANCE REGARDING THE DATE AND TIME.
You must also bring with you the following documents, not applicable):	electronically store	d information, or objects (leave blank if
The following provisions of Fed. R. Civ. P. 45 are attached Rule 45(d), relating to your protection as a person subject to a subgrespond to this subpoena and the potential consequences of not do	poena; and Rule 45	
Date: 03/12/2025		- 11
CLERK OF COURT		/ /// -

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

Signature of Clerk or Deputy Clerk

Kymberly Hobbs

Administrator of the Estate of Charles Givens, Deceased , who issues or requests this subpoena, are:

Mark Krudys, Esq. and Danny Zemel, Esq. at the Krudys Law Firm, PLC. They can be contaced by email at mkrudys@krudys.com and dzemel@krudys.com. Their office address is 919 East Main Street, Suite 2020, Richmond, VA 23219 and their office # is (804) 774-7950.

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Filed 03/17/25

Page 47 of 48

Document 173-1 Pageid#: 2115

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:23CV00003

PROOF OF SERVICE

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I received this	subpoena for (name of individual and title, if	any)				
☐ I served the	☐ I served the subpoena by delivering a copy to the named person as follows:					
•		on (date)	; or			
☐ I returned th	e subpoena unexecuted because:					
·	3	ed States, or one of its officers or agents, ce, and the mileage allowed by law, in the				
\$						
fees are \$	for travel and \$	for services, for a total of \$	0.00			
I declare under	penalty of perjury that this information	is true.				
te:						
		Server's signature				
		Printed name and title				
		Server's address				

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

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(g) Contempt.